

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

CIVIL MINUTES

Case No. CV 02-499 BR

Date of Proceeding: March 20, 2003

Case Title: Roberts v. WMC Mortgage et al

Presiding Judge: Anna J. Brown

Courtroom Deputy: Steven L. Minetto

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Reporter: N/A

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**PLAINTIFF'S COUNSEL**

Dianna Roberts, pro se

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**DEFENDANT'S COUNSEL**

Linda Johannsen; Dennis Brookshire; Robert Dougherty

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**DOCKET ENTRY:**

**RECORD OF ORDER**

The Court has completed its consideration of the following Motions and resolves them as indicated:

1. **Plaintiff's Motion for Leave of the Court to Issue Subpoena for Entry Upon Land for Inspection of Original Trust Upon Defendant Bank One (#117).** The Court **DENIES** this Motion as moot in light of Bank One's representation that it has been unable to locate the original Trust Deed. In the event Defendants locate the original document, however, Defendants must promptly arrange a time and place for Plaintiff to inspect it.
2. **Plaintiff's Motion for Leave of the Court to Issue Subpoena Duces Tecum to Non-Party Fairbanks Capital Corp. (#120).** The Court **DENIES** this Motion. According to Plaintiff, Fairbanks Capital Corp. is a Utah corporation. It appears this Court does not have jurisdiction over Fairbanks Capital Corp. and, therefore, does not have authority to compel Fairbanks Corp. to produce documents for this action pending in the District of Oregon.
3. **Plaintiff's Motion for Leave of the Court to take Depositions Upon Written Questions to Defendant Bank One (#123) and to Defendant WMC Mortgage Corp. (#126, #129) and Plaintiff's Motion for Enlargement of Time for Discovery (#131).** The Court **GRANTS IN PART** these Motions as follows:
  - A. Plaintiff may pose written deposition questions to Defendant Bank One, but only as to those questions set forth on Page 4 of Plaintiff's Memorandum in support of this Motion.
  - B. Plaintiff may pose written deposition questions to Defendant WMC Mortgage Corp., but only as to those questions set forth on Pages 4-5 of Plaintiff's Memorandum in support of this Motion.

cc: ( ) All counsel

DOCUMENT NO: \_\_\_\_\_

**Civil Minutes**

**Honorable Anna J. Brown**

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C. The Court grants the parties until April 18, 2003, to complete this additional discovery. The Court otherwise denies Plaintiff's Motion to extend the discovery deadlines.

4. Because the additional discovery the Court has authorized in this Order may bear upon the evidence Plaintiff may need to evaluate for purposes of defending against Defendants' Motion for Summary Judgment (#142), the Court on its own motion extends the deadline for Plaintiff to respond to Defendant's Motion until May 9, 2003. Defendants' Reply in further support of their Motion will be due May 28, 2003, on which date the Court will take Defendants' Motion under advisement.

cc: ( ) All counsel

DOCUMENT NO: \_\_\_\_\_

**Civil Minutes**  
**Honorable Anna J. Brown**

(RobertsCV02-499MO3-20.wpd)